

Public defense system seeks to cure root issues

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Daryl Rodrigues

By JOHN DODGE — Olympian

Daryl Rodrigues is someone who can find some good in just about anyone ensnared in the justice system for crimes they often, but not always, committed.

As director of the Thurston County Office of Assigned Counsel, he has plenty of opportunity to search for redeeming qualities in defendants. He oversees 17 attorneys, two paralegals and six legal assistants who were assigned more than 4,500 felony, misdemeanor, juvenile and dependency cases in 2012.

After a first career as a community mental health counselor, Rodrigues, 50, earned his law degree at Gonzaga University 20 years ago, then worked in private practice and as a public defender before assuming his latest post in March 2013.

His hiring coincided with the 50-year anniversary of a U.S. Supreme Court ruling — *Gideon v. Wainwright* — which held that all indigent defendants had the right to an attorney, not just those in federal criminal cases or state cases involving the death penalty.

While that landmark case went a long ways on the road to a more equitable justice system, Rodrigues makes a strong case that there's much more to do in the world of public defense.

He embraces a new model of public defense called “holistic defense,” which has been pioneered by the Bronx Defenders in New York City. This is an organization that buys into a philosophy that public defense is more than just dealing with matters of law. It looks at the person's lot in life and problems they may have with housing, child custody, mental health, drug and alcohol addiction and financial insolvency.

“Holistic Defense combines aggressive legal advocacy with a broader recognition that for most poor people arrested and charged with a crime, the criminal case is not the only issue with which they struggle,” Rodrigues said in a letter he sent me, asking to meet.

Born in England to East Indian parents, Rodrigues has lived in the Pacific Northwest since 1981, including in a lot of small rural communities where his views on how to reform the criminal justice system didn't sit too well.

With all the problems of jail and prison overcrowding, courts clogged up with cases of relatively minor offenses and strained local government budgets, why not try some new approaches that could end up saving taxpayer money without threatening public safety? Rodrigues asked.

“We're jailing too many people for too many minor offenses — and jail is expensive,” he said. He points to examples such as someone thrown in jail for driving with a suspended license or unpaid traffic fines.

Rodrigues presented a plan last week to the regional Law and Justice Council to create a regional relicensing program to consolidate traffic fine debts, strip them of interest and penalties, establish doable payment plans or require community service as a non-financial pathway back to a valid driver's license.

“The community benefits by having fewer unlicensed and therefore uninsured drivers on the road,” he said.

It seems to me the time is ripe for some new approaches to doling out criminal justice, especially in the arena of non-violent, victimless crimes. Let's see if the Thurston County Office of Assigned Counsel can pull together a variety of resources in the community to create a new criminal justice delivery system that looks at defendants as whole people.

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Orca Books in downtown Olympia is the place to be the next two weekends, if you like to hear leading Pacific Northwest authors read from and talk about their latest work. Here's the lineup of upcoming free events:

LLyn De Danaan, an anthropologist and The Evergreen State College professor will present her new book, “Katie Gale: A Coast Salish Woman’s Life on Oyster Bay,” at 7 p.m., Nov. 1. It’s a rare account of mid-19th century life in South Sound, seen through the eyes of a Native American woman who co-founded a successful oyster-growing business, but experienced more than her fair share of hardship and misfortune.

R. Gregory Nokes, a longtime journalist and historical non-fiction writer will read from and discuss “Breaking Chains: Slavery on Trial in the Oregon Territory” at 3 p.m., Nov. 2. The West Linn, Ore.— based author digs deep into the historical record to uncover the disturbing truth about slavery and institutional racism in the Oregon Territory.

Olympia author Maria Mudd Ruth will discuss her updated book: “Rare Bird: Pursuing the Mystery of the Marbled Murrelet,” at 7 p.m., Nov. 8. This inquiry into the fate of an endangered Pacific Northwest seabird reads like a detective story laced with all the curiosity and enthusiasm Ruth brings to her writing.

Portland author Whitney Otto will be at the book store 3 p.m., Nov. 9, with a talk and slide show featuring the work of six photographers who inspired her latest novel. “Eight Girls Taking Pictures.”

Come out and support this talented quartet of Pacific Northwest writers.

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Read more here: http://www.theolympian.com/2013/10/29/2798446/public-defense-system-seeks-to.html#emlInl=Afternoon_Newsletter#storylink=cpy